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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,639	10/20/2003	Young-Hwan Park	P24427	1799
7055	7590	12/01/2006	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			PERRIN, JOSEPH L	
			ART UNIT	PAPER NUMBER
			1746	

DATE MAILED: 12/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/687,639

Applicant(s)

PARK ET AL.

Examiner

Joseph L. Perrin, Ph.D.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 2-5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 6-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 20050310;20040528.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Species A (Figures 3-6 & 13-14), readable on claims 1 & 6-15 in the reply filed on 14 September 2006 is acknowledged. The traversal is on the ground(s) that a search on the claims would be "coextensive" and allegedly no "serious burden" to search the other mutually exclusive species. This is not found persuasive because in accordance with MPEP §803: "For purposes of the initial requirement, a serious burden on the examiner may be *prima facie* shown by appropriate explanation of separate classification, or separate status in the art, or a different field of search as defined in MPEP § 808.02. That *prima facie* showing may be rebutted by appropriate showings or evidence by the applicant." In the instant case, the Examiner has provided a *prima facie* showing of mutual exclusivity which have separate status in the art and would require different field of search by nature of being mutually exclusive. Applicant's allegations of "coextensive" search and no "serious burden" include no appropriate showings or evidence and, therefore, are not persuasive. Accordingly, the restriction is considered proper in accordance with MPEP §803. Applicant is reminded that upon allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141.
2. The requirement is still deemed proper and is therefore made FINAL.

Information Disclosure Statement

3. The Information Disclosure Statement filed 10 March 2005 contains a reference already of record in the previous Information Disclosure Statement. Accordingly, in order to prevent redundant publication of the recitation on any issuing patent publication the reference has been lined through.

Specification

4. The disclosure is objected to because of the following informalities: The recitation in the specification of the condensate water supplying duct (43) being "connected to a lower region of the condensing duct" (51) is not consistent with the Figures which show the supplying duct connected to an upper region of the condensing duct and feeding water via gravity down the condensing duct. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1 & 6-15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In claim 1, while the supplying duct may be connected to the lower region of

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chamber (52c), the condensate water supplying duct (see Fig. 3, reference numeral 43) being “connected to a lower region of the condensing duct” (51) is not adequately enabled because if the water supplying duct was at a “lower region” of the condensing duct, the condensing duct would not receive water (clearly received by gravity) and thus would not be able to perform its intended function of condensing from the water received from the water supply. This is readily evident by Figures 3 & 13 of the elected species (see also the downward flow of water from supplying duct (43) through condensing duct (51)).

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1 & 6-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, it is unclear how condensate water supplied by the supplying duct can be dispersedly dropped (presumably by gravity) when the supplying duct is connected at a lower region of the condensing duct (which would prevent water from dropping via gravity). Clarification and correction are required.

In claim 6, it is unclear what is meant by “inner circumferential surface”. What circumferential surface is being claimed? This terminology appears to be missing some structural cooperative relationship between the condensing duct and water supplying duct which renders the claim vague and indefinite, possibly as a result of the vaguely

described “connection region” and the broadly stated “surface” without description to what the surface pertains. Applicant is urged to clarify the claim language to adequately describe the claimed structures and cooperative relationship consistent with the original disclosure and 112, second paragraph (for instance, the structure shown in Figure 4).

In claim 10, the phrase “... between the chamber ...” renders the claim indefinite because it fails to adequately describe the cylindrical portion flow (i.e. between the chamber and what?).

In claim 13, the phrase “ribs reciprocally extending along a circumferential direction thereof” renders the claim indefinite because it is unclear what structure and configuration is being described. Clarification and correction is required.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

10. Claims 1 & 6-9 are rejected under 35 U.S.C. 102(a) as being anticipated by WO 03/057968 to KIM *et al.* (hereinafter “KIM”). Re claim 1, KIM discloses (especially Figs 13 - 19) a condensing apparatus (700) of a washing and drying machine (Fig. 13) comprising a casing (100) for forming an accommodating space therein, a tub (200) installed in the casing (100), an air duct of which one end (61) is connected to the tub (200) thus for introducing air into the tub (200), a blower fan (800) for blowing air along

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the air duct and a heating means (620) for heating air of the air duct before being introduced into the tub (200), wherein the condensing apparatus (700) comprising a condensing duct (710) of which one end is connected to a lower region of the tub (200) and another end is upwardly extending, a condensate water supplying duct (771) connected to a lower region of the condensing duct (710) for supplying condensate water into the condensing duct (710), and a condensate water dispersing portion (772) provided with a plurality of dispersion holes (774) formed along a circumferential direction of the condensing duct (710) with a certain interval and arranged at an outlet side of the condensate water supplying duct (771) along a flow direction of the condensate water, for dispersedly dropping condensate water supplied from the condensing water supplying duct (771). Re claim 6, KIM further discloses the condensing duct having a sectional surface of a circular shape and downwardly extending with a "predetermined length along an inner circumferential surface" (see Figures 13-14). Re claims 7-8, KIM further discloses a connecting means and drain which reads on the claimed "connection bellows" and drain. Re claim 9, KIM further discloses a more expanded flow section area than the condensing duct located between the condensing duct and the blower (see Figure 13).

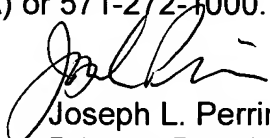
11. Claims 1 & 12-15 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by JP 2003-62384 to KAMANO. See especially Figures 1-12 which show each and every structural limitation claimed.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Perrin, Ph.D. whose telephone number is (571)272-1305. The examiner can normally be reached on M-F 7:00-4:30, except alternate Fridays.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael E. Barr can be reached on (571)272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Joseph L. Perrin, Ph.D.
Primary Examiner
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JLP